

Application No.: 09/835,146
Amendment dated: June 2, 2004
Reply to Office Action of: January 2, 2004

REMARKS

This amendment is responsive to the Office Action dated January 2, 2004.

Claims in the case remain 22-85, all of which are effectively amended here in view of amendments to the independent claims 22, 52, 80, and 82. Although cosmetic in nature, the amendments provide a basis for reconsideration which is respectfully requested in view of the following comments.

In general, note that the system claimed herein generally involves a potential call transfer. That is, it is contemplated that several calls maybe completed without transfer to an operator (see FIGURE 3, right). Such a distinction is also noted with respect to the fact that the present claims recite received calls from callers, not outgoing. Generally, other considerations as previously mentioned in the case history involve the nature of the testing aspect and the nature of the provided display.

With regard to the testing, a distinction has been previously recognized which merits further consider. In that regard, the Szlam patent was applied by reason of a comparison as described at column 12, beginning line 55. The comparison is understood to involve identifying existing clients. The comparison is not a test which conditions a termination of the call. Consequently, based on that distinction, reconsideration is respectfully requested.

A somewhat related consideration involving the display, also is treated in columns 12 and 13 of the Szlam patent. Again, the nature of the display is distinct and the transfer to an operator is not conditional as in the sense claimed herein.

With regard to the claims rejected under 35 USC §103, involving a combination of Szlam and Barger, again, recitations in the independent claims are deemed to render them distinct. The

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limitations treated above are further applicable. In that regard, it is respectfully submitted that Barger adds little to the disclosure of Szlam. That is, in Barger, the operator elicits information from the caller including the customer identification number.

Respectfully, Applicant urges the Examiner to reconsider her rejections in view of the above arguments.

Favorable consideration and allowance of the claims pending here is respectfully requested.

Respectfully submitted,

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